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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,110	09/25/2003	Clifton Harold Bromley	03SW171 / ALBRP316US	7239

7590 05/05/2009  
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EXAMINER
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BILGRAMI, ASGHAR H

ART UNIT	PAPER NUMBER
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2443

MAIL DATE	DELIVERY MODE
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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/671,110		BROMLEY ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	ASGHAR BILGRAMI		2443	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 February 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10, 12-14, 16-28, 31-36, 38, 39 and 42-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10, 12-14, 16-28, 31-36, 38, 39 and 42-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-2, 3-10, 12-14, 16-28, 31-36, 38, 39, 42-44 are rejected under 35 U.S.C. 103(a) as being anticipated by Green (U.S. PUB. No. 2004/0117802 A1) and Kreidler et al (U.S.6,975,913 B2).

2. As per claims 1, 14 & 34 Green disclosed a method that facilitates rendering a browser-based HMI to a device (paragraph.69, lines 1-11), comprising: receiving a session request from a user device (Paragraph.35); requesting a HMI from a server (Paragraph.57); determining parameters for rendering a HMI to an external device (paragraph.39, lines 5-21); continuously receiving data associated with an automated industrial environment {Paragraphs, 53 & 66, Real time monitoring requires continuous exchange of data} ; processing the data received from an the industrial environment (paragraphs. 3 & 5); rendering a HMI in browser format (Paragraph.69). However Green did not explicitly disclose automatically updating a HMI rendered in browser format upon the occurrence of a change of state in an industrial environment; and customizing a browser-based HMI.

In the same field of endeavor Kreidler disclosed automatically updating a HMI rendered in browser format (col.5, lines 30-34) upon the occurrence of a change of state in an industrial environment (col.20, lines 43-53); and customizing a browser-based HMI (col.11, lines 49-53).

It would have been obvious to one in the ordinary skill in the art at the time the invention was made to have incorporated automatically updating a HMI rendered in browser format upon the occurrence of a change of state in an industrial environment; and customizing a browser-based HMI as disclosed by Kreidler in a method of rendering a browser based HMI to a device as disclosed by Green in order to make the rendering of the browser based HMI more robust resulting in increased productivity and deliverance of maximum product quality.

3. As per claim 17 Green-Kreidler disclosed the method of claim 16, further comprising, rendering libraries to permit selection of components within the rendered libraries for customizing a browser-based HMI (Green, paragraph. 39).

4. As per claims 3, 26, 27 & 28 Green-Kreidler disclosed the system of claim 1, the HMI rendering component adapted to generate a plurality of browser-based HMIs for rendering on a plurality of devices (Green, Paragraph.57).

5. As per claims 4, 21 & 36 Green-Kreidler disclosed the method of claim 14, further comprising employing artificial intelligence techniques (Green, Paragraph.30) to make

inferences regarding at least one of a user, a device, and a most suitable browser-based rendering of a HMI (Green, Paragraph.69).

6. As per claims 5, 16 & 35 Green-Kreidler disclosed the system of claim 1, the HMI rendering component comprising a memory that stores data related to at least one of a user, a browser-based HMI, and a device (Green, paragraph.40)

7. As per claim 6 Green-Kreidler disclosed the system of claim 5, the memory comprising at least one of volatile memory and non-volatile memory (Green, paragraph.51).

8. As per claim 7 Green-Kreidler disclosed the system of claim 1, the browser-based HMI rendered on at least one of a fixed HMI, a tethered portable HMI, and a wireless HMI (Green, paragraph.44).

9. As per claim 8, 18, 19 & 20 Green-Kreidler disclosed the method of claim 18, further comprising providing a password to at least partially authenticate the session request (Green, paragraph,79, last two lines).

10. As per claims 9 & 23 Green-Kreidler disclosed the system of claim 1, further comprising a virtual private network (VPN) (Green, paragraph.32) that facilitates secure transmission of data (Green, Paragraph.57) {SSL Protocol in web environment encrypts

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data I.E Secure transmission).

11. As per claims 10, 24 25 & 39 Green-Kreidler disclosed the system of claim 1, wherein the browser and the web server employ at least one of hypertext transfer protocol (HTTP) (Green, paragraph.58) and transmission control protocol/Internet protocol (TCP/IP) (Green, paragraph.32).

12. As per claims 11 & 30 Green-Kreidler disclosed the system of claim 1, the HMI rendering component continuously receives data associated with the automated industrial environment (Green, paragraph.7).

13. As per claims 12, 31 & 42 Green-Kreidler disclosed the system of claim 11, the HMI rendering component renders a HMI in browser format in real-time (Green, paragraph.7).

14. As per claims 13 & 29 Green-Kreidler disclosed the system of claim 1, the HMI rendering component automatically updates the HMI upon a change of state in the industrial automation environment (Green, paragraph.76).

15. As per claims 22, 23 & 38 Green-Kreidler disclosed the method of claim 22, the data transmissions encrypted via a virtual private network (VPN) (Green, paragraph.32).

16. As per claims 32 & 43 Green-Kreidler disclosed the method of claim 14, further comprising transmitting data continuously (Green, paragraph.7) and asynchronously (Green, paragraph.35).

17. As per claims 33 & 44 Green-Kreidler disclosed the method of claim 14 further comprising transmitting unsolicited data {notification message} from at least one server to at least one specific client (Keridler, col.17, lines 36-48).

### ***Response to Arguments***

18. Applicant's arguments with respect to newly amended claims 1, 14 & 34 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

20. Kupiec et al (U.S. 7,194,529 B2) disclosed method and apparatus for the delivery and integration of an asset management system into an existing enterprise system.

21. Wischinski (U.S. 7,313,609 B1) disclosed method and apparatus for programming an automation device.

22. Wolff et al (U.S. 7,305, 114 B2) disclosed Human/Machine interface for a machine vision sensor and method for installing and operating the same.
23. Harvey et al (U.S. 6,556,899 B1) disclosed bus diagnostic and control system and method.
24. Arone et al (U.S. 7,240,212 B2) disclosed method and system for secure alert messaging.
25. Ciofi et al (U.S. 7,178,112 B1) disclosed management if functions for block diagrams.
26. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **ASGHAR BILGRAMI** whose telephone number is (571)272-3907. The examiner can normally be reached on 9-5.



If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tonia L.M. Dollinger can be reached on 571-272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. B./  
Examiner, Art Unit 2443

/PHUOC NGUYEN/  
Primary Examiner, Art Unit 2443